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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA

CR. A. NO. 02-30043-01

VERSUS

JUDGE ROBERT G. JAMES

LEE DELL NATION, JR.

MAG. JUDGE KAREN L. HAYES

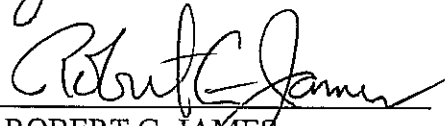
MEMORANDUM ORDER

Pending before the Court is Lee Dell Nation, Jr.'s Motion for an Award of Attorney's Fees [Doc. No. 546]. Mr. Nation styles his case as "Lee Dell Nation, Jr. vs. Charles D. Jones" and seeks the return of \$11,000.00, one-half of the amount allegedly paid to Mr. Jones as attorney's fees. As the basis for his motion, Mr. Nation argues that Mr. Jones improperly failed to file a Section 2255 lawsuit on his behalf. Mr. Nation's Section 2255 claim is presently before the Court, and he was represented by the Office of the Federal Public Defender at an evidentiary hearing on the matter.

However, Mr. Nation's potential claim against Mr. Jones is not under Section 2255, but is an action for legal malpractice under state law. Accordingly, if Mr. Nation wishes to pursue such a claim, he will need to file a petition in the state court. This Court is without authority to grant Mr. Nation the relief he seeks. Accordingly,

IT IS ORDERED that Mr. Nation's motion is DENIED.

MONROE, LOUISIANA, this 14 day of June, 2007.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE